

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

YASSIN HAYTHAME MOHAMAD

Plaintiff,

v.

VINCENT MOONEY, et al.,

Defendants.

CIVIL ACTION NO. 1:15-CV-00287

(JUDGE CAPUTO)

**ORDER**

**NOW**, this 9<sup>th</sup> day of August, 2018, **IT IS HEREBY ORDERED** that:

- (1) The Motion to Dismiss filed by Defendants Boguslaw, Davis and Miller (*Doc. 40*) is **GRANTED**.
  - (a) All claims raised against Defendants Boguslaw, Davis and Miller in Plaintiff's Complaint (*Doc. 1*) are **DISMISSED without prejudice**.
- (2) Defendant Harrold's Motion to Dismiss (*Doc. 42*) is **GRANTED**.
  - (a) All claims raised against Defendant Herrold in Plaintiff's Complaint (*Doc. 1*) are **DISMISSED without prejudice**.
- (3) The Motion to Dismiss filed by Defendants Wetzel, Mooney, Lusavage, Miller, Yackiel, Baumbach, Martino, Brumfield, Jellen, Wilson, and Duncan (*Doc. 47*) is **GRANTED in part** and **DENIED in part**.
  - (a) Plaintiff may proceed on his First Amendment Free Exercise and Fourteenth Amendment Equal Protection claims against Defendants Wetzel, Mooney, Lusavage, Miller, Baumbach, Brumfield, and Duncan for the denial of religious meals in the RHU.

- (b) All other claims raised against Defendants Wetzel, Mooney, Luscavage, Miller, Yackiel, Baumbach, Martino, Brumfield, Jellen, Wilson, and Duncan are **DISMISSED without prejudice**.
- (4) Plaintiff's Motion for Default Judgment is **DENIED** (*Doc. 56*).
- (5) Plaintiff's Motion for a Preliminary Injunction is **DENIED** (*Doc. 58*).

/s/ A. Richard Caputo

A. Richard Caputo  
United States District Judge